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8 Attorneys for Defendant
9 STEPHEN MANGELSEN

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 FLUKE ELECTRONICS
13 CORPORATION, a Washington
14 corporation,

15 Plaintiff,

16 vs.

17 STEPHEN MANGELSEN, a California
18 resident,

19 Defendant.

NO. C0-8-01188 JW

**DEFENDANT'S, STEPHEN
MANGELSEN, CASE
MANAGEMENT STATEMENT**

Date: June 23, 2008
Time: 10:00 a.m.
Judge: James Ware, Room 8

20 Defendant, STEPHEN MANGELSEN, submits the following Case Management
21 Statement to the court prior to the hearing on his Rule 12 Motion (For More Definitive
22 Statement) and the case management conference to be held June 23, 2008:

23 The parties have conferred regarding some of the issues raised by the present complaint.
24 They have also conferred regarding a suitable form of early ADR. They have elected to set
25 a mediation before a U. S. Magistrate Judge. As defendant has filed a Rule 12 Motion seeking
26 a more definitive statement of the allegations and theories of liability and damages, and as
27 defendant may file cross-claims against third parties, it would be premature and impractical
28 for defendant to confer further and determine limitations to be set on discovery, deadlines for
non-expert discovery and expert discovery as well as other issues to be covered by a Joint
CMC Statement. According to plaintiff's proposed Joint CMC Statement, it seeks a trial date

1 in October, 2008 (less than 120 days from now). Defendant would oppose a trial being set any
2 earlier than March, 2009. The determination of a trial date should be deferred until the case
3 is "at issue", the form of the complaint has been settled and all parties have appeared. At that
4 time, the parties can confer upon and submit a Joint CMC Statement.

5 Respectfully submitted,

6 Dated: June 17, 2008

MORGAN, FRANICH, FREDKIN & MARSH

7
8 By 

DONN WASLIF, Attorneys for Defendant,
STEPHEN MANGELSEN

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Attorneys for Defendant
STEPHEN MANGELSEN

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STEPHEN MANGELSEN, a California
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CERTIFICATE OF SERVICE BY MAIL

I, the undersigned, hereby certify that I am over the age of eighteen years and not a party to the within action. My business address is 99 Almaden Boulevard, Suite 1000, San Jose, California 95113-1606.

On the date indicated below, I served by mail a true copy of the following document:

DEFENDANT'S, STEPHEN MANGELSEN, CASE MANAGEMENT STATEMENT

I am readily familiar with the practice of this business for collection and processing of documents for mailing with the United States Postal Service. Documents so collected and processed are placed for collection and deposit with the United States Postal Service that same day in the ordinary course of business. The above-referenced document(s) were placed in (a) sealed envelope(s) with postage thereon fully prepaid, addressed to each of the below listed parties and such envelope(s) was (were) placed for collection and deposit with the United

